Mr. K. MATTHAN explained that there never was an idea that *miras* should be paid even if the *totis* did not perform their duties. And if any village servant failed in his duty, it was open to the people to bring it to the notice of the revenue officers and get him dismissed for it but that it would be irregular for the villagers to take the law into their own hands and withhold the *miras* due to him.

The Assembly adjourned at 5 p.m. to meet again at 12 of the clock the following day.

THIRD DAY.

Thursday, 10th October 1935.

The House reassembled at 12 of the clock.

QUESTIONS AND ANSWERS—
(*contd.*)

Misappropriation of Land Revenue Collections in the Mandya Sub-Division.

Q.—12. Mr. T. M. KAPANAYYA GOWDA (Nagamangala Taluk).—Will the Government be pleased to state :

(*a*) how many cases of misappropriation of land revenue were reported from Mandya Sub-Division Office during 1933-34 and 1934-35 ;

(*b*) (i) how many cases ended in conviction after due enquiry ; (ii) how many cases were let off for want of evidence ; (iii) what was the expenditure incurred by Government on these cases ;

(*c*) (i) of the persons against whom cases were instituted, how many were Patels and how many were Shanbhogs; (ii) of those convicted, how many were Patels and how many were Shanbhogs ; (iii) who was in charge of the office during that period ?

A.—The CHIEF SECRETARY to GOVERNMENT (Mr. K. V. Anantaraman).—

		1933-34	1934-35
(*a*)		3	4
(*b*)	(i)	...	...
	(ii)	1	...

(iii) No expenditure was incurred in this department.

		1933-34	1934-35
(*c*)	(i)	3 Shanbhogs	1 Shanbhog 3 Patels
	(ii)	...	...

(iii) Mr. V. Vedavyasacharya, B.A., was in charge of the Sub-Division till 12th November 1933 and Mr. E. V. Ganapati Iyer since 13th November 1933.

Mr. T. M. KAPANAYYA GOWDA.—With reference to answer to (*a*), is it not a fact that there are about 14 cases of misappropriation of land revenue ?

Mr. K. V. ANANTARAMAN.—The information received from the Deputy Commissioner is that there were only 7 cases.

Mr. H. M. CHANNABASAPPA.—With reference to answer to (*b*) (ii), what happened to the other six cases ?

Mr. K. V. ANANTARAMAN.—Evidently they are pending.

A Member.—What was the total amount misappropriated ?

Mr. K. V. ANANTARAMAN.—Notice.

Mr. B. L. BYANNA.—Have any steps been taken to recover the amounts ?

Mr. K. V. ANANTARAMAN.—The Deputy Commissioner says that steps are being taken.

Acquisition of houses in the Agraharam in Chamarajanagar.

Q.—13. Messrs. B. S. PUTTASWAMY and **SIDDAPPA** (Nanjangud Taluk) ; **K. C. SUBBANNA** (Chamarajanagar Taluk) and **Patel BASAPPA** (Gundlupet Taluk).—Will the Government be pleased to state :

(*a*) when was the order passed to acquire the *agraharam* houses in front of the Chamarajeswara temple at Chamarajanagar ;

(*b*) were the houses acquired, taken possession of after the payment of compensation, or were they taken possession of without paying compensation, and demolished, and the materials auctioned ;

(*c*) was the compensation amount fixed before taking possession ;

(*d*) (i) how many houses were acquired; (ii) in respect of how many houses compensation has been paid; (iii) was the value of each house estimated before demolishing; (iv) if so, who was the appraiser?

A.—The GENERAL SECRETARY to GOVERNMENT (Mr. H. V. Ramaswami).—(*a*) G. O. No. 1422-4—Muz. 221-34-2, dated 29th April/2nd May 1935.

(*b*) Houses were taken possession of without payment of compensation as an emergency measure and the roofing and other materials were sold. They were purchased in some cases by the owners themselves. Action is being taken to pass the awards and pay the compensation.

(*c*) Yes.

(*d*) (i) 13.

(ii) Not yet paid.

(iii) Yes.

(iv) By the Municipal President and revised by the Assistant Engineer, Gundlupet Sub-Division.

Mr. B. S. PUTTASWAMY.—Why were the houses acquired?

Mr. H. V. RAMASVAMI.—Because the locality was most insanitary.

Mr. B. S. PUTTASWAMY.—Will any fresh buildings be constructed in place of those acquired?

Mr. H. V. RAMASVAMI.—No. The place will be kept open.

Mr. B. S. PUTTASWAMY.—Why were the materials auctioned even before compensation was paid to the owners?

The DEPUTY COMMISSIONER, MYSORE DISTRICT (Mr. B. T. Kesavaiengar).—It had been ordered that the materials should be auctioned. It was not necessary to delay the sale till compensation was paid.

Mr. B. S. PUTTASWAMY.—Did not the owners themselves petition the Deputy Commissioner, the very next day after auction, that they would purchase the materials? Why should there have been such great hurry to auction them immediately?

Mr. B. T. KESAVAIENGAR.—I cannot tell you straightway whether they petitioned or not. But immediate action was taken because the place was considered most insanitary.

Mr. B. S. PUTTASWAMY.—Was not a stay order asked for before the houses were demolished?

Mr. B. T. KESAVAIENGAR.—I do not remember.

Mr. B. S. PUTTASWAMY.—Is it not a fact that the Amildar got the buildings demolished before a stay order could be obtained?

Mr. B. T. KESAVAIENGAR.—I might assure the member that there was no sinister motive in the action taken.

Mr. B. S. PUTTASWAMY.—Will the Government enquire whether it is not a fact that all the houses were demolished on the same day even before the stay order petition could reach the Deputy Commissioner?

Mr. B. T. KESAVAIENGAR.—Yes.

Mr. B. S. PUTTASWAMY.—What was the urgent necessity to demolish the buildings without paying compensation? And after the houses were demolished, why did the Amildar not allow the owners to even purchase the materials?

Mr. B. T. KESAVAIENGAR.—There was no idea that they should not be given the materials. Whoever wanted could have purchased them. In fact, the owners were informed that they could purchase the materials. And as stated in the answer, in some cases the owners themselves purchased the materials. The matter was considered urgent and the provisions of Section 17 of the Land Acquisition Regulation were applied. As regards compensation, it is not necessary to pay it before demolishing the houses when emergent action is taken under Section 17.

Mr. B. S. PUTTASWAMY.—That may be all right so far as the answer goes. But the question is why Section 17 should have been applied at all to such an ordinary case?

Mr. B. T. KESAVAIENGAR.—It was considered necessary to take action under that section.

Mr. B. S. PUTTASWAMY.—Have you at least given separate sites to the owners in place of the houses acquired?

Mr. B. T. KESAVAIENGAR.—If they select sites and apply, we shall grant them.

Mr. B. S. PUTTASWAMY.—Have they not applied already?

Mr. B. T. KESAVAIENGAR.—I shall enquire into that matter.

Mr. B. S. PUTTASWAMY.—Has the compensation been paid even now?

Mr. B. T. KESAVAIENGAR.—Payment has been ordered. Only, bills have to be prepared and money drawn. It is a matter of a few days.

Mr. B. S. PUTTASWAMY.—Are the owners of the houses very rich men?

Mr. B. T. KESAVAIENGAR.—No. They are poor people.

Mr. B. S. PUTTASWAMY.—If so, how are they to manage if you acquire their houses and demolish them without paying them compensation or allowing them to take the materials or even giving them other sites to build upon?

Mr. B. T. KESAVAIENGAR.—Generally speaking, some little inconvenience is inevitable in all cases of acquisition. But I agree that in these cases particularly, poor people are concerned and they have been put to some hardship. However, I shall try and dispose of these cases in question as soon as possible.

DEWAN.—I shall join the Deputy Commissioner in condemning those responsible for all the hardships caused to poor people, if such a thing has been done.

Mr. B. L. BYANNA.—Before ordering dismantling of the houses, did you call for objection statements from the parties concerned?

Mr. B. T. KESAVAIENGAR.—After acquisition proceedings are once completed, it is not necessary to call for objection statements.

Mr. B. L. BYANNA.—Apart from the statutory allowance of 15 per cent, was any higher rate of compensation sanctioned in view of the special circumstances of the case?

Mr. B. T. KESAVAIENGAR.—No. If the rate is considered 'too' low, the Acquisition Officer can sanction a higher rate.

Mr. S. K. VENKATARANGA IYENGAR.—How could Section 17 of the Land Acquisition Regulation be applied for acquiring dwelling houses? Is the Municipality or the City Improvement Committee advised that the action taken in these cases is legal?

Mr. B. T. KESAVAIENGAR.—That is a matter of opinion.

Mr. K. T. BHASHYAM AIYANGAR.—Merely for effecting sanitary improvements, which in most other cases are not considered so urgent, could you not have proceeded in the usual manner instead of exercising all these emergency powers?

Mr. B. T. KESAVAIENGAR.—I do not think that anything unusual has been done.

Mr. K. T. BHASHYAM AIYANGAR.—If so, why was possession taken even before giving the award?

DEWAN.—Improvement of the entire locality had already been agreed to as being very necessary and desirable. It was also thought that demolition of the houses would give a better view to the temple.

Mr. B. S. PUTTASWAMY.—Will the Government be pleased to see that local officers are not carried away by a desire to please higher officers in such matters? And will they also kindly issue circular instructions to local officers that they should do nothing irregular or illegal in giving effect to instructions from their official superiors?

Mr. B. T. KESAVAIENGAR.—I can assure the member that that statement of his hardly applies to the case in question.

Principalship of the Government Ayurvedic and Unani College at Mysore.

Q.—14. Messrs. B. S. PUTTASWAMY and **SIDDAPPA** (Nanjangud Taluk); **K. C. SUBBANNA** (Chamarajanagar Taluk) and **Patel BASAPPA** (Gundlupet Taluk).—Will the Government be pleased to state:

(*a*) who is the present Principal of the Government Ayurvedic and Unani College at Mysore;

(*b*) what are his qualifications;

(*c*) when was he entertained in Government Service;

(*d*) was he in this College before and, if so, when;

(*e*) why had he been transferred?